

**IN THE SUPREME COURT OF THE STATE OF DELAWARE**

CLARENCE L. SHOCKLEY, IV,	§	
	§	No. 404, 2009
Defendant Below,	§	
Appellant,	§	
	§	Court Below: Superior Court
v.	§	of the State of Delaware,
	§	in and for Kent County
STATE OF DELAWARE,	§	
	§	Cr. No. 0809023642
Plaintiff Below,	§	
Appellee.	§	

Submitted: December 9, 2009

Decided: February 23, 2010

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices.

**ORDER**

This 23<sup>rd</sup> day of February, 2010, on consideration of the briefs of the parties, it appears to the Court that:

1) Clarence L. Shockley, IV, appeals his conviction, following a bench trial, of possession of a deadly weapon by a person prohibited. He argues that the trial court abused its discretion in admitting evidence that one “Clarence L. Shockley” committed a prior felony because the State failed to establish that he was that person. We find no merit to this argument and affirm.

2) On September 28, 2008, Shockley was living with his girlfriend, Patrice

Anderson, her friend, Sharonda Heath, and Anderson's puppy in a small trailer near Magnolia, Delaware. Shockley had been sleeping while the two women were talking, but the sound of the radio woke him up. Shockley was angry. He argued with Anderson and then kicked the dog. Eventually, the three adults and the dog wound up in the bedroom. Shockley was holding a long kitchen knife and trying to grab the dog. When he succeeded, Shockley threw the dog against the wall, killing it. Shockley also damaged Anderson's television and threatened Anderson before the police arrived.

3) Shockley was arrested and he gave a recorded statement to the police. At trial, Shockley did not testify or present any evidence in his defense. The court found him guilty of cruelty to animals, two counts of offensive touching, criminal mischief, and possession of a deadly weapon by a person prohibited (PDWPP). Shockley only appeals the PDWPP conviction, and as to that conviction, he argues that the State failed to prove that he was a "person prohibited."

4) The State introduced a certified copy of a docket sheet showing that Clarence L. Shockley, whose date of birth was June 2, 1977, pled guilty to a charge of maintaining a vehicle for keeping controlled substances on June 15, 2000. The State also introduced a certified, compressed, docket sheet that included all of the same information, together with Shockley's SBI number. The SBI number for the Shockley who pled guilty to a felony in 2000 was the same as the SBI number for appellant

Shockley.

5) The State never introduced fingerprints to establish that the two Shockleys are the same person. That would have been better practice. But the trial court did not abuse its discretion in allowing the certified docket sheets into evidence, and then relying on them to convict Shockley. The two names are virtually identical and the dates of birth are the same. Moreover, the SBI numbers are the same. “An SBI number is unique to an individual arrested and remains the same for any subsequent involvement of that individual with the criminal justice system.”<sup>1</sup> In sum, the docket sheets were relevant in that they tended to establish that the two Shockleys were the same person. The evidence may not have been as strong as fingerprints would have been, but it was sufficient to support a guilty verdict in this case

NOW, THEREFORE, IT IS ORDERED that the judgments of the Superior Court be, and the same hereby are, AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger  
Justice

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<sup>1</sup>*Gannet Co., Inc. v. Bd. of Mgrs. of DELJIS*, 840 A.2d 1232, 1235 fn.4 (Del. 2003).